



**CITY COUNCIL MEETING MINUTES  
TUESDAY, JULY 15, 2008  
CITY HALL COUNCIL CHAMBERS  
22710 E COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Council Member Jenkins

**PLEDGE OF ALLEGIANCE**

Led by Mayor Van Orman, City Council and Staff

**CALL TO ORDER**

Mayor Van Orman called the meeting to order at 7:07 p.m.

**ROLL CALL**

Council Member Jenkins  
Mayor Pro Tem Sayrs  
Council Member Owens  
Council Member Crump (absent)  
Council Member Schuler  
Council Member Olander  
Council Member Langford

Doug Smith, Director, Community Dev.  
Cindy Smith, City Clerk (absent)  
Brian Asmus, Chief of Police  
Sean Boutz, City Attorney  
Jessica Platt, Admin. Services Mgr.

Council Member Jenkins moved to excuse Council Member Crump, seconded by Council Member Owens. Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None

**AGENDA APPROVAL**

Council Member Jenkins moved to approve the Agenda, seconded by Council Member Owens. Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None

**APPROVAL OF CITY COUNCIL MINUTES**

Council Member Olander moved to accept the City Council Meeting Minutes from July 1, 2008, seconded by Council Member Jenkins. Mayor Van Orman called for the vote. Motion Accepted. In Favor: Unanimous; Opposed: None

## **CITIZEN COMMENTS**

Frank Cruz-Aedo, 813 S. Liberty Drive, Liberty Lake, spoke on the resurfacing of the Pavillion Park tennis court. He commented that the tennis court has dual striping instead one, and the fence is in need of repair. Mr. Cruz-Aedo also brought up the playability of the tennis courts and suggested not to let the cracks get to 3 inches.

Assistant Chief Larry Rider, 1039 E Sprague, Fire District, gave an update of the fires in Spokane Valley. He said there were 14 to 17 units on the scene for the fire, about 15 people and included off duty firefighters. Engine 3 in Liberty Lake was used most of the time. Assistant Chief Rider stated FEMA and the state will pay for most resources so it shouldn't be a huge impact on the budget. He added it was important to talk about your defensible space. Mr. Rider said most of the buildings went down because something was moved against house like trailers or boats that were moved against trees. He explained that the Fire Department called for state-wide resources which will probably be here through Saturday or Sunday.

Frank Ambriz, 1013 N Malvern, Liberty Lake, gave his support of the Liberty Lake Tennis Association maintenance for the repair of the tennis court.

## **MAYOR AND CITY COUNCIL REPORTS**

Council Member Olander stated the Community Development Committee met and received copies of the specific area planned for River District. He said it will go to Planning Commission, and then back to the Community Development Committee. The Parks and Recreation is a big issue, and if it is consistent with the TIF and LIFT.

Mayor Pro Tem Sayrs reported that the Finance Committee had met and reviewed the Draft of the Second Quarter Financials. Other items discussed were:

- Reviewed the vouchers
- Same sales tax levels as last year
- All other segments online
- Last year's tourism dollars affected by skating which will happen again in 2010
- See how streamline sales tax effects the outcome
- Sales tax gets reported in July, Business report to the state in August, and are submitted to the cities in September

Council Member Langford asked which way it will go. Mayor Pro Tem Sayrs replied nobody knows how well businesses will change the way they are doing their sales tax reporting. DOR is not doing good job of teaching people of how to deal with this problem, and the lack of training.

## **"CLOSED RECORD" PUBLIC HEARING – Bella Lago 2<sup>nd</sup> Time Extension Appeal**

Amanda Tainio, Building and Planning Manager, gave the history of the Bella Lago Preliminary Plat 2<sup>nd</sup> Time Extension Appeal. She added that the action requested to consider the Hearing Examiners recommendation to uphold the records of decisions prior to making a decision to, or reject the Hearing Examiners recommendation, or to modify the decision on Bella Lago Estates.

City Attorney Sean Boutz briefed the Council regarding the protocol of a Closed Hearing.

Mayor Van Orman opened the Closed Public Hearing at 7:25 p.m.

Council Member Olander wanted clarification on the additional one year extension. Amanda Tainio said the extension went to the hearing examiner and he sited that the developer would only get another year, that it fell under county, and sided with Planning & Community Director that it would be extended only one year. Council Member Olander added that circumstances have changed, and the developer needed to start over with the Development Code rules.

Council Member Jenkins asked about the differences of Liberty Lake's Development Code and Spokane County's rules on extensions. Ms. Tainio said Spokane County's allowed for the director to approve multiple extensions. The City's Development Code allows for initial 5 year approval period and one additional year to complete the project. Bella Lago has been granted an additional year beyond that due to the change over.

Council Member Schuler asked who takes precedence, the county's or the City's rules. Ms. Tainio replied it was the Hearing Examiners decision once the City Code is adopted.

Council Member Langford inquired if the developer was told that it would be the last extension. Ms. Tainio said it was in the Director's decision and that was told to the developer. Council Member Langford asked if they have completed Phase 1. Ms. Tainio said they have the final platted Phase 1, but civil improvements are on-going.

Mayor Pro Tem Sayrs said, "So the discussion is the City is interpreting that they are vested with regards to uses of site under county code." Ms. Tainio replied that is what they are proposing. Mayor Pro Tem Sayrs said, "We are saying that they are not vested into the administrative procedures, and that when the City adopted the new code, they would have to follow the procedures in order to achieve the zoning that they received." Ms. Tainio replied we did attempt to hybrid as much as possible since this was an on-going project. Mayor Pro Tem Sayrs asked if they are alleging that the error is in part due to the limitation on what they are permitted to do, as oppose to procedures. Ms. Tainio replied, "I believe that records stated it is just on the procedures."

Mayor Van Orman closed the Closed Hearing at 7:35 p.m.

Mayor Pro Tem Sayrs said that it was the Hearing Examiner recommendations to uphold the Director's decision, seconded by Council Member Jenkins. After discussions regarding starting under the county process, the City offering a hybrid solution to extend the process, and then now imposing city only administrative acts, Council Member Owens stated she understood the developer started in one system, but the county could or could not have the developer in the 3 year extension.

Discussions continued on the rules changing every year, having the developer already receiving the one year extension, and as a community the City has a right to insure that the City is making sure it's living up to current obligations.

Mayor Van Orman called for the vote to accept the Hearing Examiner's decision. Motion Passed. In Favor: Council Member Olander, Mayor Pro Tem Sayrs, Council Member Owens, and Council Member Langford; Opposed: Council Member Schuler and Council Member Jenkins

## **PRESENTATION – Collaborative Planning**

Susan Winchell said they want to hear what the City Council had to say. She gave a brief background on collaborative planning, saying the purpose is to explain where Spokane County Boundary Review Board is, identifying areas of concern, and coming up with something acceptable to all of the communities. Susan Winchell stated that Phase 1 of the grant assesses the differences in City and County Development Regulations, and identifies different issues. She added Phase 2 coordinates the development regulations and processes for inside the UGA, determines the fiscal issues for service delivery, the Interlocal Agreement for collaborative planning, and there may be revenue sharing or transfer of services.

Mr. Bill Grimes spoke on the process that has been involved. He said historically there have been problems with conflict and development regulations. He said conflict is manageable by making rules for development appear unclear in the UGA. He added the second problem is there is recognition that development on one side of a jurisdictional line impacts land on the other. Mr. Grimes reiterated it is generally about zoning, subdivisions, and communication.

After discussions on differences in development, street design standards, landscaping, consistency, making regional efforts more efficient, lot size, and communications, Mayor Pro Tem Sayrs stated he was pleased to see there are ways in which there can be accommodations to ensure, as the urban areas area, that there are the boundary issues. He added there has been discussion of a transition government, but there has not been a discussion between the difference between the various levels of service that the City has for other perks such as parks! Spokane County has a low LOS compared to the City of Liberty Lake LOS.

Mr. Grimes reiterated he was hoping the land use review process will enhance the communication for what has been envisioned, and that type of LOS discussion would be incorporated in the Interlocal Agreements.

Mayor Van Orman called a recess at 8:28 p.m. The meeting reconvened at 8:36 p.m.

## **ACTION ITEMS**

Mayor Pro Tem Sayrs moved to accept the Consent Agenda in the amount of \$679,581.11, seconded by Council Member Langford. Mayor Van Orman called for the vote. In Favor: Unanimous; Opposed: None

Check sequences were: 9860 through 9945

### Award of Bid – Police Vehicle

Chief Asmus reported that bids had been received for the bid award of the police vehicle. The bids were put out to receive a partial Safety Vehicle Grant in amount \$51,500, to purchase a vehicle and equipment. Two bids were received from Knudtsen Chevrolet and Whiteside Chevrolet and recommended the low bid be accepted from Knudtsen Chevrolet of \$33,996.03.

After discussions on the make and model, why the purchase of a 2008 instead of 2009 model, maintenance of the equipment, inspections are the duties of the state, and creating revenue by writing tickets, Council Member Owens moved the award of the bid of \$33,996.03 to Knudtsen Chevrolet, seconded by Mayor Pro Tem Sayrs.

After further discussions on participating in state wide emphasis patrols, and federal funds the City receives to help assist in patrol duties, Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None

### Acquisition of Property for Public Safety & Library Services

Community Development Director, Doug Smith, offered the background of the Public Safety and Library Services Building. The City found a structurally sound and relatively new building, and was able to pull together funding within the existing 2008 budget. He said, "Specifically within the Capital Funds (310 and 311 budgets), we have capacity to buy the building and make improvements at 23103 E Mission. Mr. Smith, gave the background of the real estate transaction. He said, "Today, the City is \$5 million in debt and we are paying out in monthly debt \$41,000 dollars. The recommendation was to look at this out of capital funds - none of existing capital priorities are being affected by this, and the City is looking at moving forward with Rocky Hill, the arboretum, and the skate park. The City is being very prudent in the making the recommendation, and are not looking for additional funds or any additional tax burdens to the citizens."

Chief Asmus said, "During budget workshops in 2008, the City came up 14 things that they want to accomplish: public safety and parks, look at finding property for future Public Safety Facility, and funds set aside for down payment. The City decided to wait to see if the bond failed, and began looking more seriously at Plan B". He stated it was determined by the Police Department that they could make this work as a library and police department under one roof. Pamela Mogen came up with a floor plan that would meet her existing and future needs, and put together a strategic plan and timeline. Because of the needs assessment, Chief Asmus said he estimated a cost of \$4.5 million by moving forward and remodel the building, the Police Department is obtaining a larger space property solving the service needs of the library, and also solving the problem of expansion of City Hall.

Pamela Mogen said "We have a huge campus to work with, with this space and floor plan will be addressing a lot needs. In particular we are going to expand square footage of a children's department." She added that over 600 children register for the summer reading program. The library addresses the need for a large meeting room, addresses need for quiet study area, a storage area. "This area provides enough space for processing, and helps us meet the needs of the library for at least the next 5 years."

After discussions on how the library arrived at a 5 year figure, new technology and things that take less space, having to increase space in a five year period because services may change and square footage may change, where revenues come for the police department (general fund - property taxes), having two entry ways, driveways, and parking lots, current lease \$55,000 to \$65,000 is going to cover library and police department, and what the city is currently paying going to pay M&O for both departments, Doug Smith stated the City is looking from the City Council to approve the acquisition of the property for the amount of \$1.96 million.

Mayor Pro Tem Sayrs so moved, seconded by Council Member Owens.

Council Member Olander summarized the comments heard, both pros and cons. He said the pros were: it gives the police department a lot more room to do their jobs, gives remaining staff at City Hall more room, boosts morale, in 2007 the City budgeted to pay for a down-payment and buy a lot, always better to buy than rent, city staff recommending purchase, and at the end of 2007 the City Council voted on capital projects. The top needs were the police building, sports complex, and library. Council Member Olander stated the downsides were: It does confuse issue with the community center, revenues are flat this year and it is scary to spend \$2 - \$3 million on a building, if did not purchase the building - would another building be available 6 months down the road, even though the building is \$2 million the City Council does have \$675,000 could renovate with moving costs could go to \$3 million, the impact on sports facility and police station would deplete our capital funds, running out time to set aside funds for land for sports, and if money gets to zero how can the City get land for sports complex.

Further discussions pursued about hearing more input before throwing out for vote, if others feel more comfortable spending money right now, REET dollars can only be used for capital projects, spending some of the dollars but have been saving to apply these funds without having to go into debt, since the cost is low the value is higher, if really do have crisis in end it is sellable asset, is it the right time in the economy that we are facing to do this.

Council Member Owens said. "This is why the City has this fund and why we have been prudent through the last several years. We are meeting the needs of the community. The building we are talking about for the City of Liberty Lake will serve our public safety needs throughout the life of the City. It will also serve interim needs of the City library even if we have to do something else down the road we have square footage that can be applied to other public services. We can start building the funds again and I think this is a deal of lifetime and a great location."

After further discussions on the overall budget, REET contributions, the arboretum and Skate Park, still receiving street funds and a gas tax, exploring the possibility of buying with a mortgage with \$150,000 a year, operations funds being shifted to capital purchases, an opportunity to take care of the number one issue public safety, and expand the space available, Chief Asmus said "Yes. Part of the strategic planning process identifies the level of service to the community, and recognizing that with economic times that we are all experiencing, I have made a conscious decision to not fill up every office space. I have forgone hiring an officer, we have been very conservative, and have not hired the people or things that are not necessary."

Council Member Langford stated hiring another person and lights are not capital it is operational. "I wish we had been presented with one scenario, not that it's going to be \$500,000 out of operating budget. What is going to affect the operational budgets? These are immediate needs."

Council Member Schuler asked if the City Council had to vote to tonight? Doug Smith said the closing sale date was August 6<sup>th</sup>. Council Member Olander inquired when the offer first expires. Doug Smith replied the City would actually close and have ownership August 6<sup>th</sup>.

Council Member Owens said the City Council the has option of tabling, however, it would have to be August date. We could suspend meeting and come back. Council Member Schuler replied it was a very painful vote.

Mayor Van Orman called for the motion for all those in favor of purchasing the building not to exceed \$1,969,998.00 plus renovations not to exceed \$675,000. Motion Passed. In Favor: Council Member Olander, Mayor Pro Tem Sayrs, Council Member Owens, and Council Member Langford; Oppose: Opposed: Council Member Jenkins and Council Member Schuler.

Council Member Olander moved to extend the meeting for five (5) minutes, seconded Mayor Pro Tem Sayrs. Mayor Van Orman called for the vote. Motion Passed. In Favor: Unanimous; Opposed: None

## **ORDINANCE – FIRST READING**

*Ordinance No. 131-A - An Ordinance of The City of Liberty Lake, Washington, Amending Ordinance No. 131, Passed on September 21, 2004, Entitled "Establishing A Municipal Library Fund Change-Making Account For The City of Liberty Lake for The Purpose of Making Change for Cash Transactions."*

Jessica Platt, Administrative Services Manager, read Ordinance No. 131-A

## **WORKSHOP DISCUSSIONS**

### 2008 Budget Amendment

Doug Smith, Director of Planning and Community Developed, said two (2) areas of budget need to be considered prior to the 2009 budget. He stated there would be an operational transfer amendments and also the 310 and 311 Capital Funds. Doug Smith said the City was looking at the functional areas of City.

Mayor Van Orman said there was a Swearing-in ceremony for Cindy Smith and Ann Marie Gale; however, Ann Marie's position was not in the budget for last year. We also have Troy Mullenix, who's currently an intern that needs to be moved into the position of Planner/Parks Recreation Coordinator. Amanda Tainio and Jessica Platt have been moved up to Managers although their positions are funded, and announced that Doug Smith's title will be moved to City Administrator.

Mayor Pro Tem Sayrs said that a position of city administrator would be recreated and Doug Smith would be put into that position.

## **UNFINISHED / NEW BUSINESS**

Mayor Van Orman announced that the Ice Cream Social, is Thursday, July 24 @ 6:30 p.m. at Half Moon Park, and the Staff Luncheon is, Friday, July 25<sup>th</sup> @ 11:00 a.m.

## **CITIZEN COMMENTS**

Susan Schuler said she wanted the City to have the building, but wanted to be conservative financially, and I know that I don't want to lose services.

## **ADJOURNMENT**

Upon motion, the Meeting adjourned at 10:04 p.m.

These Minutes are approved this 5<sup>th</sup> day of August, 2008.



Wendy VanOrman

Wendy Van Orman, Mayor  
City of Liberty Lake

Cynthia Smith

Notes by Jessica Platt, Administrative Services Manager, and Transcription by Cindy Smith, City Clerk. This Council Meeting was audio taped. Anyone desiring to listen to the recording may contact the City Clerk.